

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>4062-193</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <b>10/585,422</b>
INTERNATIONAL APPLICATION NO. <b>PCT/IN2005/000011</b>	INTERNATIONAL FILING DATE <b>7 January 2005</b>	PRIORITY DATE CLAIMED <b>9 January 2004</b>

TITLE OF INVENTION  
**1,3-DIOXANE DERIVATIVES AND ANALOGUES THEREOF USEFUL IN THE TREATMENT OF I.A. OBESITY AND DIABETES**

APPLICANT(S) FOR DO/EO/US  
**LOHRAY ET AL.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The U.S. has been elected (Article 31).
- A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☐ is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  - ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
    - ☐ is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings,        page Certificate of Translation).
    - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  - ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 To 20 below concern document(s) or information included:**

- ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- ☐ A FIRST preliminary amendment.
  - ☐ A SECOND or SUBSEQUENT preliminary amendment.
- ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/585,422</b>		INTERNATIONAL APPLICATION NO. <b>PCT/IN2005/000011</b>		ATTORNEY'S DOCKET NUMBER <b>4062-193</b>	
<input checked="" type="checkbox"/> The following fees are submitted:					
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>					
21. <input type="checkbox"/>	Basic national fee .....			\$300.00 (1631)/\$150.00 (2631)	\$
22. <input type="checkbox"/>	Examination Fee.....			\$0 (1643/2643)	\$
				\$200.00 (1633)/\$100.00 (2633)	
23. <input type="checkbox"/>	Search Fee .....			\$0 (1640/2640)	
				\$100 (1641)/\$50 (2641)	
				\$400 (1642)/\$200 (2642)	
				\$500.00 (1632)/\$250.00 (2632)	\$
<b>TOTAL OF ABOVE CALCULATIONS</b>					\$ 0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
0 -100	0 /50 =	0.00		\$0.00 (1681)	\$
				\$0.00 (2681)	
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED	# EXTRA	RATE	
Total Claims		minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)
Independent Claims		minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)	\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					
<b>TOTAL NATIONAL FEE =</b>					
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property					
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)					
<b>TOTAL FEES ENCLOSED =</b>					
Amount to be refunded:					
Amount to be Charged:					
U.S. Application No.10/585,422; Atty Docket No.4062-193					
a. <input checked="" type="checkbox"/> A check in the amount of \$40.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees.					

A duplicate copy of this form is enclosed.

- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

- d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

- e. ☒ The entire content of International Application No. **PCT/IN2005/000011** and any U.S. and foreign application(s) corresponding thereto, and , referred to in this application is/are hereby incorporated by reference in this application.

**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**

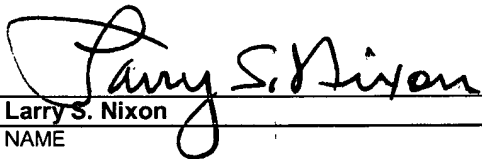
Direct all correspondence to:

- ☒ **Customer Number:**

**23117**

*Type Customer Number here*

Telephone: (703) 816-4000  
LSN:vc

  
**Larry S. Nixon**  
NAME

**25,640**

REGISTRATION NUMBER

**August 21, 2006**

Date